

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

NANCY S. COGGINS,

Plaintiff,

v.

CASE NO. 06-11804
HON. LAWRENCE P. ZATKOFF

METAL IMPROVEMENT COMPAN, LLC,
a Delaware limited liability company
f/k/a/ METAL IMPROVEMENT COMPANY, INC.

Defendant.

ORDER DISMISSING PLAINTIFF'S STATE LAW CLAIM

Plaintiff filed her Complaint on April 14, 2006. Plaintiff's Complaint contains the following two counts:

Count I Violation of Title VII of the Civil Rights Act; and

Count II Violation of the Elliott-Larsen Civil Rights Act.

See Complaint.

The Court has subject matter jurisdiction over Count I, because it arises under federal law. *See* 28 U.S.C. § 1331. Count II, however, is based upon state law. Although the Court has supplemental jurisdiction over state law claims pursuant to 28 U.S.C. § 1367(a), the Court may decline to exercise supplemental jurisdiction if there are "compelling reasons for declining jurisdiction." *See* 28 U.S.C. § 1367(c)(4). The Court declines to exercise supplemental jurisdiction over Plaintiff's state law claim in this matter. The Court finds that the contemporaneous presentation of Plaintiff's parallel state claim for relief will result in the undue confusion of the jury. *See* 28 U.S.C. § 1367(c)(4); *see also Padilla v. City of Saginaw*, 867 F. Supp. 1309, 1315 (E.D.

Mich. 1994).

Accordingly, IT IS ORDERED that Plaintiff's state law claim under the Elliott-Larsen Civil Rights Act (Count II) is hereby DISMISSED without prejudice. The Court retains jurisdiction over Plaintiff's federal claim (Count I).

IT IS SO ORDERED.

s/Lawrence P. Zatkoff

LAWRENCE P. ZATKOFF

UNITED STATES DISTRICT JUDGE

Dated: May 31, 2006

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of this Order was served upon the attorneys of record by electronic or U.S. mail on May 31, 2006.

s/Marie E. Verlinde

Case Manager

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